

1 Troy A. Wallin, Esq. (AZ Bar No. 023522)  
2 Chad A. Hester, Esq. (AZ Bar No. 022894)  
3 WALLIN HESTER, PLC  
4 Rome Towers  
5 1760 E. Pecos Rd., Ste. 332  
6 Gilbert, AZ 85295  
7 Email: *courtfilings@wallinhester.com*  
Telephone: 480-240-4150  
8 Facsimile: 480-240-4151  
9 *Attorneys for Defendants*

8 H. Troy Romero, (*Admitted Pro Hac Vice*)  
9 ROMERO PARK, P.S.  
10 16935 W. Bernardo Drive, Suite 260  
11 San Diego, CA 92127  
Email: *tromero@romeropark.com*  
Telephone: 858-592-0065

12 **UNITED STATES DISTRICT COURT**

13 **FOR THE DISTRICT OF ARIZONA**

14 Carl A. Wescott,

15 Plaintiff,

16 vs.

17 David Crowe; Mike Lyonette;  
18 Thomas P. Madden; Taylor Collins; Jeff  
19 Rau; Darrell Bushnell; Amy Bushnell;  
20 Peter Tierney; Kathy Fettke; Susie Yee;  
21 Norman Davies; Claire Davies; Sandra  
22 Winfrey; Brian Putze; Colin Ross;  
23 Brad Malcolm; Michael Jimenez; Gustavo  
Varela; Robert Crowe; Bernadette Brown;  
Federico Gurdian; Terencio Garcia, Does 1  
through 50,

24 Defendants.

No: CV-20-1383-PHX-SPL

**CERTAIN DEFENDANTS'  
OBJECTION TO PLAINTIFF'S  
ALLEGED COMPLIANCE WITH  
COURT ORDER OF JULY 28<sup>TH</sup>,  
2020 AND NOTICE OF SERVICE  
OF THE PRELIMINARY ORDER**

1 Defendants David Crowe, Mike Lyonette, Thomas P. Madden, Jeff Rau, Peter  
2 Tierney, Colin Ross, Brad Malcolm, and Michael Jimenez (“Defendants”) respectfully  
3 submit the following objection to Plaintiff’s “Compliance with Court Order of July 28<sup>th</sup>,  
4 2020 and Notice of Service of the Preliminary Order.”

5  
6 Pursuant to this Court’s July 28, 2020 Preliminary Order (the “Order”), Plaintiff  
7 was ordered to file proofs of service of the summons and complaint or waivers of service  
8 with the Clerk of the Court by no later than August 25, 2020. Plaintiff has failed to do so.  
9 His arbitrary statement that he has served the Defendants (which Defendants dispute),  
10 “**and/or that appeared**” (emphasis added) does not constitute service under Fed. R. Civ.  
11 Proc. 4; nor does his filing comply with the Court’s July 28, 2020 Order. As such, this  
12 Court should dismiss this action in its entirety.  
13

14 RESPECTFULLY SUBMITTED this 26<sup>th</sup> day of August, 2020.  
15

16  
17   
18 H. Troy Romero

19 ELECTRONICALLY filed and copy  
20 emailed this 26<sup>th</sup> day of August, 2020, to:

21 Carl A. Wescott  
22 Movenpick Apartments & Hotel (#229) – Bur Dubai  
23 Opposite American Hospital – 19<sup>th</sup> Street – Oud Metha  
24 Dubai, UAE (United Arab Emirates) 32733  
25 *Plaintiff In Pro Per*  
26 Email: [carlwsoj@gmail.com](mailto:carlwsoj@gmail.com)

27 Fabian Zazueta  
ZAZUETA LAW, PLLC  
4742 N. 24<sup>th</sup> Street, Suite 300  
Phoenix, AZ 85016  
Email: [fabian@zazuetalawfirm.com](mailto:fabian@zazuetalawfirm.com)

*Attorney for Defendants Sandra Winfrey  
And Brian Putze*

/s/Kathy Koback